

AB:MJB
F# 2019R01327

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

C O M P L A I N T

- against -

(18 U.S.C. § 2252(a)(2))

RICHARD PALMER,

Case No. 19-MJ-1025

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

MICHAEL BUSCEMI, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation, duly appointed according to law and acting as such.

In or around September, 2019, within the Eastern District of New York and elsewhere, the defendant RICHARD PALMER, did knowingly and intentionally distribute one or more visual depictions using a means and facility of interstate and foreign commerce, which visual depictions had been mailed, and had been shipped and transported in and affecting interstate and foreign commerce, and which contained materials which had been mailed and so shipped and transported, by any means including by computer, the production of such visual depictions having involved the use of one or more minors engaging in sexually explicit conduct, and such visual depictions were of such conduct.

(Title 18, United States Code, Section 2252(a)(2))

The source of your deponent's information and the grounds for his/her belief are as follows:¹

1. I have been a Special Agent with the Federal Bureau of Investigation ("FBI") since January 2015 and am currently assigned to the New York Office. Since September 2019, I have been assigned to a Crimes Against Children squad. I have been assigned to investigate violations of criminal law relating to the sexual exploitation of children. As part of my responsibilities, I have been involved in the investigation of child pornography cases and have reviewed photographs depicting children (less than eighteen years of age) being sexually exploited by adults. Through my experience in these investigations, I have become familiar with methods of determining whether a child is a minor.

2. In or around September 2019, the FBI received a complaint from an individual ("COMPLAINANT 1") that she had been in receipt of sexually explicit emails from RICHARD PALMER. Specifically, COMPLAINANT 1 informed the FBI that in or around October 2016, PALMER began sending COMPLAINANT 1 emails containing lewd and vulgar subject lines. COMPLAINANT 1 did not open these emails due to the content in the subject lines and the fact they were being sent by PALMER. PALMER continued to send

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

COMPLAINANT 1 emails containing lewd and vulgar subject lines throughout 2017 and into 2018.

7. PALMER stopped sending emails to COMPLAINANT 1 for approximately one year. However, PALMER again began sending emails to COMPLAINANT 1 in and around September 2019. COMPLAINANT 1 then decided to file a police report against PALMER and, in order to do so, opened some of the emails PALMER had sent her. Upon opening some of the emails, COMPLAINANT 1 discovered that PALMER had sent COMPLAINANT 1 images and videos of child pornography, as well as links to child pornography. Specifically, upon opening certain of the emails PALMER had sent to COMPLAINANT 1, COMPLAINANT 1 viewed images of children as young as, upon information and belief, five years old.

8. In or around September 2019, COMPLAINANT 1 was receiving several emails a day. COMPLAINANT 1 received emails from the following email accounts: reddserr53@gmail.com ("SUBJECT ACCOUNT 1"), rich.george888@gmail.com ("SUBJECT ACCOUNT 2"), nyhc.ser1@gmail.com ("SUBJECT ACCOUNT 3"), sredd8565@gmail.com ("SUBJECT ACCOUNT 4") and heavymetalser.RS@gmail.com ("SUBJECT ACCOUNT 5") (collectively, the "SUBJECT ACCOUNTS").

COMPLAINANT 1 identified the SUBJECT ACCOUNTS as belonging to PALMER because PALMER identified himself as the sender in several of the email messages from each of these accounts. Specifically, certain of the emails sent from the SUBJECT ACCOUNTS allude to being from PALMER, include photographs of himself, list a cell

phone number believed to belong to PALMER and state that he would like to engage in sexual activity with COMPLAINANT 1.

- a. For example, on or about September 30, 2019, using the SUBJECT ACCOUNT 1, PALMER sent an image of an individual who I have identified as PALMER based on my review of photographs of PALMER obtained in public and law enforcement databases. The image depicts PALMER holding an erect penis. The image also captures PALMER's face.
- b. As another example, on or about October 6, 2016, PALMER confirmed to COMPLAINANT 1, in email, that he was the user of the SUBJECT ACCOUNT 5. He also sent a "selfie" photograph of himself from SUBJECT ACCOUNT 5.

9. On or about October 1, 2019, COMPLAINANT 1 consented for the FBI to access her email account and review the emails from the SUBJECT ACCOUNTS. Upon review by FBI special agents, including myself, the FBI determined that the images and videos sent to COMPLAINANT 1's email account in fact depicted child pornography. PALMER sent, from SUBJECT ACCOUNT 1, SUBJECT ACCOUNT 3 and SUBJECT ACCOUNT 4, in excess of 100 images and/or videos depicting child pornography. The following are descriptions of certain of the child pornography images associated with the emails sent from each of SUBJECT ACCOUNT 1, SUBJECT ACCOUNT 3 and SUBJECT ACCOUNT 4 to COMPLAINANT 1 between September 6, 2019 and September 30, 2019:

- a. From the SUBJECT ACCOUNT 1:
 - o **th_90897_990199240_240_b9e98570c9894b6dd46220190806_123_1811o.jpg** is an image of a fully nude approximately 10 year old female

exposing her genitals, and with an adult male penis pictured near the child's right buttock;

- **44.jpg** is an image of a fully nude approximately 10 year old female exposing her genitals;

b. From the SUBJECT ACCOUNT 3:

- i. **zz6nju7.gif** is a gif of a fully nude approximately 10 year old female exposing her genitals and masturbating with a purple toothbrush;
- ii. **FIP6s(2).png** is an image of a fully nude approximately 10 year old female exposing her genitals and having oral anal sex performed on her;
- iii. **th_78638_77_123_250lo.jpg** is an image of a fully nude approximately 10 year old female exposing her genitals;

c. From the SUBJECT ACCOUNT 4:

- i. **img_bc9ee4b7317a04b7317a04e68970e291617af4(1).jpg** is an image of a fully nude female, approximately under the age of 10, exposing her genitals;
- ii. **045_(2)(8).jpg** is an image of a fully nude female, approximately between the ages of 10 and 12, exposing her genitals.

10. The FBI served a subpoena to Google, Inc. ("Google") for subscriber information and IP logs for the SUBJECT ACCOUNTS from the time period of September 1, 2019 through October 8, 2019. Records obtained by Google reveal:

- a. The SUBJECT ACCOUNT 1 was registered under the name "Red Serr," and, among others, IP address 151.205.171.3 ("IP ADDRESS 1"),
- b. The SUBJECT ACCOUNT 2 was registered under the name "Rich Georges," and IP address 108.46.97.216 ("IP ADDRESS 2");
- c. The SUBJECT ACCOUNT 3 was registered under the name "Red Serr" IP ADDRESS 1, among others, and telephone number 929-305-5420 ("PHONE NUMBER 1");
- d. The SUBJECT ACCOUNT 4 was registered under the name "Redd Serr," IP ADDRESS 1, and PHONE NUMBER 1; and
- e. The SUBJECT ACCOUNT 5 was registered under the name "Red Ser," and IP address 108.46.106.115 ("IP ADDRESS 3").

11. Records obtained from Verizon Landline by subpoena show that:

- a. As of August 10, 2019, through the present, Verizon has assigned IP ADDRESS 1 to the 60-84 Fresh Pond Road, Apt. 2R, Maspeth, New York, 11378 ("SUBJECT PREMISES"). The name of the customer on the account for IP

ADDRESS 1 is Helen Palmer, who, upon information and belief, is the mother of RICHARD PALMER.

- b. As of July 24, 2018, through September 1, 2018, Verizon had assigned IP ADDRESS 2 to the SUBJECT PREMISES. The name of the customer on the account for IP ADDRESS 2 was Helen Palmer.
- c. Verizon was unable to provide records for IP ADDRESS 3.

12. Records obtained from T-Mobile for PHONE NUMBER 1 reveal that the phone is subscribed to Trevor Baptiste with no further subscriber information. Moreover, a search of law enforcement databases reveal that PHONE NUMBER 1 was cited in an August 6, 2019 Incident/Investigation Report filed with the Columbia County Sheriff's Office, in Evans, Georgia. Specifically, a 23 year-old male ("COMPLAINANT 2") reported that he met with an individual with username "RedSer" in the chat room xvideos.com and thereafter exchanged text messages with that individual, who was using PHONE NUMBER 1. COMPLAINANT 2 reported that username "RedSer" sent text messages to COMPLAINANT 2, using PHONE NUMBER 1, containing multiple images of child pornography. Toll records confirmed that the user of PHONE NUMBER 1 exchanged more than 100 communications with the cellular telephone number listed by COMPLAINANT 2 in police reports.

13. A search of law enforcement databases also revealed that RICHARD PALMER resides at the SUBJECT PREMISES. Additional publicly available records reveal that RICHARD PALMER and Helen Palmer reside at the SUBJECT PREMISES. PALMER was previously arrested by the New York City Police Department on July 20, 2010, for Attempting to Promote Sexual Performance By A Child Less Than 17 Years Of Age, Possession of Obscene Sexual Perform by a Child and Stalking. On or about September 29, 2010,


PALMER was convicted in Queens County Criminal Court and sentenced to a period of incarceration of 18 months to three years. The FBI has learned that the victim in that case was approximately 12 years old at the time of the offense.

14. On or about October 14, 2019, physical surveillance of the SUBJECT PREMISES revealed an individual resembling RICHARD PALMER exiting the residence.

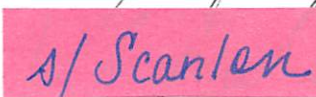
15. On November 1, 2019, law enforcement executed a search of SUBJECT PREMISES pursuant to a search warrant issued by the Honorable Ramon E. Reyes, U.S.M.J. During the execution of the search warrant, law enforcement seized two cellphones. Both cellphones contained images, videos, .gif and various other forms of media containing child pornography.

16. PALMER waived his Miranda rights and agreed to speak to law enforcement. During the interview, PALMER admitted to possessing and sending various forms of child pornography.

WHEREFORE, your deponent respectfully requests that the defendant RICHARD PALMER be dealt with according to law.


MICHAEL BUSCEMI
Special Agent, Federal Bureau of Investigation

Sworn to before me this
1st day of November, 2019


THE HONORABLE VERA M. SCANLON
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK